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Superfund

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RE: *In the Matter of Cotter Corporation (NSL), and Laidlaw Waste Systems (Bridgeton), Inc.
and Rock Road Industries, Inc. and the U.S. Department of Energy
Administrative Order on Consent, EPA Docket No. VII-93-F-0005*

Dear Counsel:

During the past months, Republic Services, Inc., has been performing work under an agreement with the state of Missouri pertaining to the subsurface smoldering event at Operable Unit 2, the former sanitary landfill (Bridgeton Landfill) which Republic owns and operates. Recently, the state of Missouri requested that the U.S. Environmental Protection Agency take the lead in directing and overseeing activities that are outside the Bridgeton Landfill and within the boundaries of the West Lake Landfill

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MOKS
Gravatt

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CNSL
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ENSV
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RGAD
Brooks

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SUPR
Tapia

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Superfund Site Operable Unit 1. In this role as lead agency, the EPA has reviewed and commented on a work plan for a gamma cone penetration test (GCPT) (Phase 1 of investigative work) submitted by Feezor Engineering, consultant for Republic. The agency is enclosing its comment and approval letter along with the Missouri Department of Natural Resource's response to the work plan submittal. Simultaneous with this transmission, the agency is transmitting the two enclosed letters directly to Brian Power, Area Environmental Manager for Republic.

Additional Work

Through implementation of the GCPT work plan, new information will be obtained regarding the landfill material and depths. Performance of GCPT will also provide data on the presence or absence of radioactive wastes in an area adjacent to the subsurface smoldering event. This information will be valuable as we move forward in reexamining the selection of the remedy for Operable Unit 1. The agency therefore requests, pursuant to the Additional Work provision of paragraph 51 of the Administrative Order on Consent captioned above, that the potentially responsible parties at Operable Unit 1 undertake the implementation of the Phase 1 GCPT work plan and all necessary work to evaluate and identify a location within Operable Unit 1, if any, for construction of a subsurface barrier.¹

The agency expects work on the Phase 2 Investigation Work Plan, referenced in the comment letters enclosed, to begin before or concurrently with the fieldwork for the Phase 1 GCPT work so that the Phase 2 core samples can be collected as soon as possible after the GCPT work is complete. The agency has an interest in the work being done expeditiously. Toward that end, the agency has established October 10, 2013, as the date to commence fieldwork.

Please acknowledge in writing your willingness to perform this Additional Work, beginning in the field no later than October 10, 2013. We appreciate your cooperation.

Sincerely,

Audrey Asher
Senior Counsel

cc: Leanne Tippet-Mosby, MDNR
Jonathan Garoutte, MDHSS
Joseph Bindbeutel, Missouri Attorney General's Office

¹ EPA considers the subsequent construction of a barrier a CERCLA removal action, to be undertaken by Republic under a separate agreement.